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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,696	07/24/2003	Kim B. Roberts	9-13528-85us-1	1070
20988	7590	06/30/2005	EXAMINER	
OGILVY RENAULT LLP 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A2Y3 CANADA			SINGH, DALZID E	
			ART UNIT	PAPER NUMBER
			2633	

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

✓

Office Action Summary	Application No. 10/625,696	Applicant(s) ROBERTS ET AL.	
	Examiner Dalzid Singh	Art Unit 2633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-26, 28-50, 53-67 and 69-77 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-5, 28-31, 53-56, 69, 70, 72, 73, 75 and 76 is/are rejected.
- 7) ☒ Claim(s) 6-26, 32-50, 57-67, 71, 74 and 77 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-5, 28-31, 53-56, 70, 72, 73, 75 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over So et al (US Patent No. 5,179,420) in view of Inoue et al (US Patent No. 5,506,674).

Regarding claims 69 and 72, So et al disclose optical system comprising:

means for obtaining information identifying the optical fiber medium (see col. 1, lines 42-46 and col. 6, lines 29-31).

adjusting system parameter based on fiber characteristic obtained from reflection of optical signal (see col. 2, lines 20-39 and col. 4, lines 3-33).

So et al disclose obtaining information on the fiber characteristic based on the reflection of optical signal and differ from the claimed invention in that So et al do not specifically disclose obtaining fiber identification based on the reflection of the optical signal. However, obtaining fiber identification is well known. Inoue et al is cited to show such well known concept. In col. 1, lines 12-19, lines 42-46 and col. 6, lines 28-35, Inoue et al teaches that optical fiber is provided with identification, which is obtained by reflection of the optical signal. Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to modify the optical system

of So et al in order to obtain fiber identification as taught by Inoue et al. Since there are various types of optical fibers with different characteristics, one of ordinary skill in the art would have been motivated to identify optical fiber in order to determine characteristics of that particular fiber type.

Regarding claims 2, 28 and 54, the combination of So et al and Inoue et al discloses the step of obtaining fiber ID for the fiber medium and differs from the claimed invention in that the combination does not specifically disclose a class ID. However, it would have been obvious to provide class ID for the different types of fiber in order to categorize the fiber types.

Regarding claims 3 and 29, the combination of So et al and Inoue et al discloses the step of obtaining fiber ID for the fiber medium and differs from the claimed invention in that the combination does not specifically disclose that the fiber ID is manually entered into the optical communications system. However, it would have been obvious to enter the fiber ID manually during install.

Regarding claims 4, 30 and 55, as discussed above, Inoue et al disclose the step of receiving a fiber ID comprises the steps of probing the optical fiber medium for the presence of a predetermined marking containing information of the fiber ID and if a marking is detected, reading information of the fiber ID from the marking (see col. 5, lines 56-67 to col. 6, lines 1-45 of Inoue et al).

Regarding claims 5, 31 and 56, the combination of So et al and Inoue et al discloses the step of obtaining fiber ID for the fiber medium by reflecting the optical signal and differs from the claimed invention in that the combination does not specifically

disclose a Bragg grating. However, since Bragg grating reflects particular optical signal, therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to provide Bragg gratings to the optical fiber to reflect the optical signal.

Regarding claims 53, 70, 73, 76, the combination of So et al and Inoue et al disclose the step of obtaining fiber ID for the fiber medium and differ from the claimed invention in that the combination does not disclose obtaining information identifying the optical fiber medium comprises a step of obtaining a class ID respecting the optical fiber medium. However, it would have been obvious to provide class ID for the different types of fiber in order to categorized the fiber types.

Regarding claim 75, So et al disclose optical system comprising:

a transceiver (see Fig. 2) including a port (12) connected for bi-directional communications through the optical fiber medium (the fiber carries transmitted optical signal and receives reflected signal, therefore, the fiber is bi-directional);

a controller unit for controlling operation of the optical communications system, the controller unit being adapted to adjust a respective value of the system parameter in accordance with the obtained information (see col. 2, lines 20-39 and col. 4, lines 3-33).

So et al disclose obtaining information on the fiber characteristic based on the reflection of optical signal and differ from the claimed invention in that So et al do not specifically disclose obtaining fiber identification based on the reflection of the optical signal. However, obtaining fiber identification is well known. Inoue et al is cited to show such well known concept. In col. 1, lines 12-19, lines 42-46 and col. 6, lines 28-35, Inou

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et al teaches that optical fiber is provided with identification, which is obtained by reflection of the optical signal. Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to modify the optical system of So et al in order to obtained fiber identification as taught by Inoue et al. Since there various types of optical fibers with different characteristic, one of ordinary skill in the art would have been motivated identify optical fiber in order to determined characteristic of that particular fiber type.

Allowable Subject Matter

3. Claims 6-26, 32-50, 57-67, 71, 74 and 77 are allowed.

Response to Arguments

4. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jander (US Patent No. 5,966,206) is cited to show interlocked high power fiber system using OTDR.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalzid Singh whose telephone number is (571) 272-3029. The examiner can normally be reached on Mon-Fri 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571) 272--3022. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DS

June 25, 2005

Dalzid Singh